

ORDINANCE NO. 18193-07-2008

AN ORDINANCE AMENDING ORDINANCE NO. 15575 TO REFLECT THE CORRECT METES AND BOUNDS DESCRIPTION FOR TRACT 11 ONLY FOR ZONING CASE ZC-03-095; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND NAMING AN EFFECTIVE DATE

WHEREAS, on June 5, 2003, the City Council approved a request in Case No. ZC-03-0095 to rezone property west of John Day Road & 4500' North of Keller Haslet Road from Unzoned to "I".

WHEREAS, the City Council voted to approve the above mentioned case, but Ordinance No. 15575 incorporating the City Council's zoning decisions from the June 5, 2003, meeting does not reflect the correct metes and bounds description for tract 11;

WHEREAS, it is advisable to amend Ordinance No. 15575 with regard to Case No. ZC-03-095 only, in order to reflect the correct metes and bounds description;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

SECTION 1.

Ordinance No. 15575, an amendment to Ordinance 13896, is amended to correct the metes and bounds description for Case No. ZC-03-095 (tract 1), as follows:

ZC-03-095 West of John day Road & 4500' North of Keller Haslet Road

Zoning Change:

From: *Unzoned*

To: *"I" Light Industrial*

Description:

BEING a tract of land situated in the Greenberry Overton Survey, Abstract No. 1 185 and the M.E.P. & P.R.R. Co. Survey, abstract No. 1132, Tarrant County, Texas and being a portion of that tract of land as described by deed to Two SR, L.P., a Texas limited partnership, and recorded in Volume 16328, Page 169, County Records, Tarrant County, Texas, said tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a ½ inch iron rod found at the southeast corner of said Two SR, L.P. tract, said point being the southwest corner of The Atchison, Topeka and Santa Fe Railway Company tract (Part 1: Main line right-of-way) as recorded in Volume 11976, Page 1271, also in the northerly line of Hall-Nance Ranches, Ltd. tract as recorded in Volume 9426, Page 564, said County Records;

THENCE S 89°53'49"W, 2670.75 feet along the southerly line of said Two SR, L.P. Tract and the northerly line of said Hall-Nance Ranches, Ltd. tract to a 5/8 inch iron rod with cap stamped "Carter & Burgess" set in the west line of the Fort Worth-Haslet Joint Agreement Line (Contract No. 15651), the **POINT OF BEGINNING**;

THENCE S 89°53'49"W, 1367.14 feet continuing along said common line to a 1 ½ inch iron pipe found;

THENCE N 00°02'46"E, 1079.23 feet continuing along said common line to a 4 inch steel fence post found;

THENCE N 89°59'02"E, 815.13 feet;

THENCE N 00°03'32"E, 525.39 feet;

THENCE S 89°59'04"E, 550.42 feet to the west line of said Fort Worth-Haslet Joint Agreement Line (Contract No. 15651);

THENCE S 00°00'23"E, 1602.24 feet along said Fort-Worth Haslet Joint Agreement Line to the **POINT OF BEGINNING** and containing 1,762,763 square feet or 40.467 acres of land more or less.

SECTION 2.

This ordinance corrects Ordinance No. 15575 with regard to Case No. ZC-03-095 only.

SECTION 3.

The zoning regulations and districts, as herein established, have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after full and complete public hearing with reasonable consideration, among other things, of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of a building and encouraging the most appropriate use of land throughout the community.

SECTION 4.

This ordinance shall be cumulative of all other ordinances of the City of Fort Worth affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 5.

All rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance No. 13896 or of any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

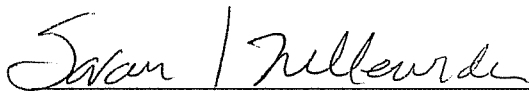
SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:


Assistant City Attorney

Adopted: July 29, 2008

Effective: August 12, 2008

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 7/29/2008 - Ord. No. 18193-07-2008

DATE: Tuesday, July 29, 2008

LOG NAME: 06CORRECT 15575

REFERENCE NO.: **G-16211

SUBJECT:

Adopt an Ordinance Correcting Ordinance No. 15575 Concerning Case ZC-03-095 for Property Located West of John Day Road and 4500 Feet North of Keller Haslet Road

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance amending Ordinance No. 15575 to reflect the correct metes and bounds description for tract 11 for zoning case ZC-03-095 for property located west of John Day Road and 4500 feet north of Keller Haslet Road.

DISCUSSION:

On June 5, 2003, the City Council voted to approve a request to rezone property West of John Day Road and 4500 feet North of Keller Haslet Road to "I" Light Industrial. However, Ordinance No. 15575 did not reflect the correct metes and bounds description for tract 11. The intent of the zoning change was to extend eastward to the Fort Worth/Haslet city limit line, as reflected in the 1987 joint boundary agreements. The attached ordinance reflects the Council's decision and corrects the error.

The property is located in COUNCIL DISTRICT 2.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that adoption of this ordinance will have no material effect on City funds.

TO Fund/Account/Centers

FROM Fund/Account/Centers

Submitted for City Manager's Office by:

Fernando Costa (6140)

Originating Department Head:

Susan Alanis (8042)

Additional Information Contact:

Lynn Jordan (2495)
